

Amendments to House Joint Resolution No. 5
1st Reading Copy

Requested by Representative Jerry O'Neil

For the House Judiciary Committee

Prepared by Julianne Burkhardt
January 25, 2013 (7:25am)

1. Title, page 1, line 7.

Following: "STATES"

Insert: "BY CLARIFYING THAT TREATIES MUST COMPLY WITH THE
CONSTITUTION AND DO NOT TAKE EFFECT UNTIL RATIFICATION BY
THE SENATE"

2. Page 1, lines 9 through 11.

Strike: line 9 through line 11 in their entirety

Insert: "WHEREAS, Article V of the United States Constitution
provides authority for a convention to be called by the
Congress of the United States for the purpose of proposing
amendments to the United States Constitution upon
application of two-thirds of the legislatures of the several
states, which is also known as an amendments convention; and
WHEREAS, the Montana Legislature favors the proposal and
ratification of an amendment to the United States Constitution
clarifying that although the United States Constitution grants to
the President of the United States the power "to make Treaties,
provided two-thirds of the Senators present concur", proposed
treaties signed by the President must comply with the
Constitution and do not become, nor act as, law until
ratification by the Senate."

3. Page 1, lines 15 through line 29.

Strike: line 15 through line 29 in their entirety

Insert: "That the Legislature of the State of Montana
respectfully applies for an amendments convention to the
United States Constitution to be called for the purpose of
proposing an amendment to the United States Constitution
clarifying that treaties must comply with the Constitution
and do not become law until ratification by the Senate."

BE IT FURTHER RESOLVED, that the amendments convention
contemplated by this application must be focused entirely upon
and exclusively limited to the subject matter of proposing for
ratification an amendment to the United States Constitution
clarifying that treaties must comply with the Constitution and do
not become law until ratification by the Senate.

BE IT FURTHER RESOLVED, that this application constitutes a
continuing application in accordance with Article V of the United

States Constitution until at least two-thirds of the legislatures of the several states have made application for an equivalently limited amendments convention.

BE IT FURTHER RESOLVED that the Secretary of State forward copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the Senate, the Clerk of the House of Representatives, each member of the Montana Congressional Delegation, and the Secretary of State for each state to forward to each state legislature."

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